

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

HYSITRON INCORPORATED, a Minnesota corporation,)	Civil No. 07-cv-01533 (ADM/AJB)
)	
Plaintiff,)	
v.)	
MTS SYSTEMS CORPORATION, a Minnesota corporation,)	MTS'S NOTICE OF MOTION IN LIMINE TO EXCLUDE PLAINTIFF'S EXPERT WITNESS FROM MARKMAN PROCEEDING
)	
Defendant.)	
)	

PLEASE TAKE NOTICE that at a date and time to be determined, before the Honorable Judge Ann D. Montgomery, United States Courthouse, 300 South Fourth Street, Minneapolis, Minnesota 55402, Defendant MTS Systems Corporation (“MTS”) will move the Court to exclude Plaintiff Hysitron Incorporated’s (“Hysitron”) expert witness from the *Markman* claim construction proceeding in this matter.

MTS’s motion is based upon its memorandum of law and supporting papers filed herewith, arguments of counsel, and all of the files, records and proceedings herein.

Dated: October 24, 2007

WINTHROP & WEINSTINE, P.A.

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